

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Avi J. ASHKENAZI, et al. Docket No.: 39780-2730 P1C52
Serial No.: 09/990,439 Group Art Unit: 1646
Filing Date: November 16, 2001 Examiner: Murphy, Joseph
For: NUCLEIC ACIDS ENCODING PRO830

EXPRESS MAIL LABEL NO. EL 993 689 085 US

Date Mailed: August 19, 2004

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97

MS: Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

- ☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)
-- OR --
 - ☐ (2) It is being filed within 3 months of entry of a national stage
-- OR --
 - ☐ (3) It is being filed before the mail date of the first Office Action on the merits
-- OR --

08/24/2004 CNGUYEN 00000063 081641 09990439

01 FC:1806 180.00 DA

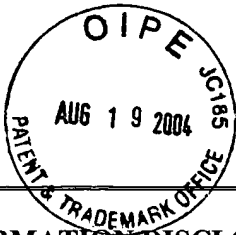
- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☒ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided below; **or**
- ☒ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$180.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☒ *Fee Authorization.* The Commissioner is hereby authorized to charge the above-referenced fees of \$180.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 08-1641 (Docket No. 39780-2730P1C52).

Respectfully submitted,

Dated: August 19, 2004

By: Daphne Reddy
Daphne Reddy
Reg. No. 53,507

HELLER EHRMAN WHITE & MCAULIFFE, LLP
Customer No. 35489/09157
275 Middlefield Road
Menlo Park, CA 94025-3506
Telephone: (650) 324-7000
Facsimile: (650) 324-0638



INFORMATION DISCLOSURE STATEMENT PTO-1449			ATTY. DOCKET NO.: 39780-2730P1C52		SERIAL NO.: 09/990,439		
			APPLICANT : Ashkenazi, et al.				
			FILING DATE: 11/16/01		GROUP: 1645		
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	Dayhoff, Accession No.: P_AAB65195; WO200073454-A1, Pub Date: December 7, 2000, Ashkenazi, A.J. et al.						
	Dayhoff, Accession No.: P_AAY66672; WO9963088-A2, Pub Date: December 9, 1999, Baker, K. et. al.						
	Dayhoff, Accession No.: P_AAB24064; WO200053755-A2, Pub Date: September 14, 2000, Ashkenazi, A.J. et al.						
	GenBank, Accession No.: P_AAC58374; WO200053755-A2, Pub Date: September 14, 2000, Ashkenazi, A.J. et al.						
	GenBank, Accession No.: P_AAF44153; WO200073454-A1, Pub Date: December 7, 2000, Ashkenazi, A.J. et al.						
	GenBank, Accession No.: P_AAA16667; WO200009552-A1, Pub Date: February 24, 2000, Jacobs, K. et al.						
	GenBank, Accession No.: AL160270; Direct Submission:, Submitted: April 27, 2001, Sehra, H.						
	GenBank, Accession No.: AL_359088; Direct Submission:, Submitted: July 9, 2001, Corby, N.						
EXAMINER			DATE CONSIDERED				

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.